

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Marcio Romely Meza-Matute

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of SEE BELOW in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

21 U.S.C. §§ 841 (a)(1) and (b)(B)
 (vi).

Offense Description

*Three separate counts of the below charge for the three following dates:
 January 12, 2022, February 9, 2022, and March 10, 2022*

Possession with intent to distribute 40 grams or more of a mixture or
 substance containing a detectable amount of Fentanyl, a Schedule II
 controlled substance, in violation of 21 U.S.C. §§ 841 (a)(1) and (b)(B)(vi).

This criminal complaint is based on these facts:

See attached affidavit, incorporated in reference herein

☒ Continued on the attached sheet.



Complainant's signature

DEA Special Agent Kendall Clark

Printed name and title

Sworn to before me and ~~signed in my presence~~ ^{ATTESTED TO BY FACETIME} ^{NMK}

Date: 3/30/2022City and state: Columbus, Ohio


Norah McCann King

United States Magistrate Judge

Norah McCann King, U.S. Magistrate Judge

Printed name and title



AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Kendall A. Clark, (hereinafter referred to as the Affiant) being duly sworn, depose and state:

1. I am employed as a Special Agent with the Drug Enforcement Administration (DEA), Columbus District Office (CDO) and have been so employed since July 2020. As such, I am an "investigative or law enforcement officer" of the United States within the meaning of Title 18 U.S.C. § 2510(7), that is, an officer of the United States empowered by law to conduct criminal investigations of, and make arrests for, offenses enumerated in Title 21 U.S.C. § 878.
2. Prior to being a DEA Special Agent with the CDO, your Affiant was a DEA Diversion Investigator with the San Antonio District Office (SADO) from 2017 to 2019. Before that, your Affiant served in the United States Army Ohio National Guard and Texas National Guard as an Infantryman from 2011 to 2019.
3. During the course of my law enforcement career, I have participated in investigations involving narcotic trafficking. I have received specialized training in the subject of narcotics trafficking from the DEA and have been personally involved in state and federal investigations concerning the possession and distribution of controlled substances, as well as methods used to finance drug transactions. I have had experience in debriefing defendants and interviewing participating witnesses, cooperating individuals and other persons who have personal knowledge and experience regarding the trafficking of controlled substances and the amassing, spending, conversion, transportation, and concealment of records and proceeds of trafficking in controlled substances.
4. This Affidavit is made in support of an application for a federal arrest warrant and criminal complaint against **MARCIO ROMELY MEZA-MATUTE** for three counts of possession with intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[-1-(2-phenylethyl)-4-piperidinyl] propenamide, commonly known as fentanyl, in violation of Title 21, United States Code §§ 841 (a)(1) and (b)(B)(vi).
5. The facts set forth in this affidavit comes from my personal involvement in this investigation, as well as information provided to me by other law enforcement officers sources, officers, confidential sources, and reports. The information outlined below does not contain all details or all facts of which I am aware relating to this investigation but rather is provided for the limited purpose of establishing probable cause that **MARCIO ROMELY MEZA-MATUTE** committed these offenses.

FACTS SUPPORTING PROBABLE CAUSE

6. In December 2021, DEA Columbus District Office, alongside the Union County (Ohio) Sheriff's Office (UCSO), began investigating a Columbus, Ohio based pressed fentanyl

pill trafficker known at the time only as "Amigo", later identified as MARCIO ROMELY MEZA-MATUTE, based on information provided to them during an interview with a UCSO confidential source (CS). CS is believed to be credible and reliable as the information provided by CS has been corroborated through independent investigation.

7. During the interview in December 2021, the CS informed the investigators that he/she had previously been purchasing marijuana from MEZA-MATUTE, who the CS referred to as "Amigo", for some months and at that time MEZA-MATUTE resided at 166 N. Harris Avenue in Columbus. The CS informed investigators that during his/her most recent drug transaction, MEZA-MATUTE had given the CS a pressed fentanyl pill as a sample. The CS stated MEZA-MATUTE advised he could provide the CS with large amounts of pressed fentanyl pills and that he manufactured his own. The CS then provided the telephone number 380-895-4086 (PN4086) to investigators as belonging to MEZA-MATUTE and began coordinating an introduction of an undercover officer (your Affiant) to MEZA-MATUTE. The CS also informed investigators that he/she had sold a number of firearms to MEZA-MATUTE during their time as acquaintances, and that MEZA-MATUTE typically carried a firearm or had one nearby during their narcotics transactions.
8. In December 2021, your Affiant began communicating with MEZA-MATUTE via text messages with PN4086 in an undercover capacity in order to coordinate a narcotics transaction. During the conversations, MEZA-MATUTE stated that he was the friend of the CS and was the one with the pills.
9. On January 12, 2022, your Affiant, acting in an undercover capacity, met with MEZA-MATUTE in order to purchase 100 pressed fentanyl pills. MEZA-MATUTE was driven to the meet location at 4324 Eastland Square Drive, Columbus, Ohio by an unknown Hispanic female (UHF) in a maroon Honda Civic, Ohio license plate number JIX2965. Upon their arrival, MEZA-MATUTE asked your Affiant if he was the CS' friend and informed your Affiant that he was "Amigo". MEZA-MATUTE then exited the maroon Honda Civic and approached your Affiant's vehicle. MEZA-MATUTE stood at the driver's side door of your Affiant's vehicle while your Affiant was seated inside. MEZA-MATUTE then handed your Affiant a yellow chip bag with a small, plastic bag inside that contained candy and the pressed fentanyl pills. Your Affiant then handed MEZA-MATUTE \$2,000 in Official Advanced Funds (OAF). Following the transaction, MEZA-MATUTE returned to the maroon Honda Civic and entered the passenger seat before it departed the meet location. Upon leaving, the DEA-CDO and UCSO investigators conducted surveillance on the Honda Civic and observed the UHF drop MEZA-MATUTE off at a construction site in the area of 1843 Longsdale Road in Columbus where investigators observed him meeting with an unknown Hispanic male (UHM1). UHF then departed the area, briefly stopped at a taco truck, and eventually arrived at 396 S. James Road in Columbus and entered the residence. Investigators also observed that there was a small child in the car with MEZA-MATUTE and UHF during

the time of the narcotics transaction, as investigators observed the child exit the vehicle when the UHF stopped at the taco truck as previously mentioned. Your Affiant did not personally observe the child in the car due to the window tint of the maroon Honda Civic. Upon processing the purchased pills, officers determined their total net weight to be approximately 74.8 gross grams. Additionally, photographs of the narcotics transaction were shared with the CS, who confirmed that MEZA-MATUTE was "Amigo" and that UHF was his wife but could not provide a name for her. According to the DEA North Central Laboratory, preliminary testing on the purchased pills detected the presence of fentanyl, a Schedule II controlled substance.

10. In February 2022, your Affiant was informed by the CS that MEZA-MATUTE was using a new telephone number, 614-282-3153 (PN3153), and that MEZA-MATUTE had requested that your Affiant reach out to him. Again acting in an undercover capacity, your Affiant began to communicate with MEZA-MATUTE via text message using PN3153 to coordinate future narcotics transactions.
11. On February 9, 2022, your Affiant, again acting in an undercover capacity planned to meet with MEZA-MATUTE in order to purchase 220 pressed fentanyl pills at the same meet location, 4324 Eastland Square Drive, Columbus, Ohio 43232. The CDO and UCSO investigators conducted surveillance on 396 S. James Road prior to the narcotics transaction. Investigators observed MEZA-MATUTE and UHF exit the residence and drive the same maroon Honda Civic to meet with your Affiant at the aforementioned address. MEZA-MATUTE was again the passenger in the maroon Honda Civic, with the same UHF driving the vehicle. The maroon Honda Civic again parked next to your Affiant's vehicle, and MEZA-MATUTE exited the maroon Honda Civic and approached the driver's side door of your Affiant's vehicle. MEZA-MATUTE handed your Affiant a yellow chip bag with a clear, plastic vacuum sealed bag containing the pressed fentanyl pills. Your Affiant then handed MEZA-MATUTE \$4,000 in OAF. MEZA-MATUTE then returned to the maroon Honda Civic, and entered the passenger side door before the vehicle departed the meet location. Upon completion of the narcotics transaction, investigators observed MEZA-MATUTE and UHF depart the meet location and drive to an apartment complex at 4592 Channing Terrace, Columbus, Ohio before quickly departing and returning to 396 S. James Road. Upon processing the fentanyl pills, it was determined that their total net weight was approximately 57.9 gross grams. The pills are awaiting laboratory analysis but were purported to be fentanyl and appear to be visually consistent with the pills previously purchased in January 2022.
12. On the evening of February 9, 2022, MEZA-MATUTE texted your Affiant using telephone number 614-817-8865 (PN8865) and stated that "he was the one with the pills", again confirming his identity. Your Affiant and MEZA-MATUTE continued to communicate via text messages using PN8865 to coordinate additional narcotics transactions.

13. On February 18, 2022, your Affiant issued an Administrative Subpoena to T-Mobile regarding the subscriber of PN8865. The results of the Administrative Subpoena revealed the subscriber to be Marcio ROMELY, which is believed to be an alias for MEZA-MATUTE, as your Affiant knows, based on my experience and training, that it is common practice among drug traffickers to use fictitious names or variations of their own name to conceal their actual identities.
14. On March 10, 2022, your Affiant, again acting in an undercover capacity, planned to meet with MEZA-MATUTE in order to purchase 250 pressed fentanyl pills at 4324 Eastland Square Drive, Columbus, Ohio 43232. The CDO and UCSO investigators initiated surveillance on 396 S. James Road prior to the narcotics transaction. Investigators observed MEZA-MATUTE exit the residence and enter a green Honda Civic, Ohio license plate number JNJ2824 parked in the driveway of the residence before driving directly to the aforementioned meet location to meet with your Affiant. Your Affiant observed the green Honda Civic pull into the parking lot of the meet location. Your Affiant then texted MEZA-MATUTE and provided him with a description of his vehicle, and MEZA-MATUTE responded that he was driving a "green car". A moment later, MEZA-MATUTE parked his green Honda Civic next to your Affiant's vehicle, exited his vehicle, and approached the driver's side door of your Affiant's vehicle. Your Affiant observed that MEZA-MATUTE was the driver and sole occupant of the green Honda Civic. MEZA-MATUTE then handed your Affiant a small pink, vacuum sealed bag containing pressed fentanyl pills through the driver's side window of your Affiant's vehicle. Your Affiant then handed MEZA-MATUTE \$4,600 in OAF. MEZA-MATUTE then returned to the green Honda Civic, entered the driver's seat, and departed from the meet location.
15. Following the narcotics transaction, investigators observed MEZA-MATUTE leave the meet location, briefly enter a grocery store, then drive to 4383 Duchene Lane in Whitehall, which is the registered address of the green Honda Civic driven by MEZA-MATUTE that day. MEZA-MATUTE was only inside the residence for a few moments before departing the residence in the green Honda Civic and driving to a United Dairy Farmers gas station located at 4374 E. Broad Street in Columbus as observed by investigators. Shortly after arriving, MEZA-MATUTE met with two unknown Hispanic males (UHM2 and UHM3) driving a grey Toyota 4-Runner, Ohio license plate number JDV9241. Investigators observed UHM2 exit the grey Toyota 4-Runner and enter the passenger door of the green Honda Civic driven by MEZA-MATUTE. Investigators observed UHM2 exit the green Honda Civic with a brown paper bag in his hands, before returning to his own vehicle and departing the area. Investigators believed that the brown paper bag contained additional narcotics and/or the OAF that MEZA-MATUTE received during the narcotics transaction with your Affiant. Investigators attempted to follow the grey Toyota 4-Runner but could not maintain surveillance of the vehicle due to heavy traffic. Investigators observed MEZA-MATUTE drive away from the area and return to 396 S. James Rd and enter the residence. Upon processing the fentanyl pills, it was determined that their total net weight was approximately 60.0 gross grams. The pills are

awaiting laboratory analysis but were purported to be fentanyl and appear to be visually consistent with the pills previously purchased in January and February 2022.

15. On March 21, 2022, your Affiant communicated with MEZA-MATUTE via text messages using PN8865 in order to coordinate a larger purchase of pressed fentanyl pills. MEZA-MATUTE stated that he could provide your Affiant with "any amount of pills". MEZA-MATUTE agreed to sell your Affiant 2,500 pressed fentanyl pills in exchange for \$40,000, and agreed to conduct the narcotics transaction on March 31, 2022.
16. Based on this information, your Affiant believes probable cause exists that on or about the three dates detailed above, in the Southern District of Ohio, **Marcio Romely MEZA-MATUTE** knowingly and intentionally distributed 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]propanamide, commonly known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code §§ 841 (a)(1) and (b)(B)(vi).



Kendall A. Clark
Special Agent
Drug Enforcement Administration

Sworn before me and ^{ATTESTED BY SACETINIO NMK} subscribed in my presence on this 30th day of March, 2022, in Columbus, Ohio.


Norah McCann King
United States Magistrate Judge



Norah McCann King
UNITED STATES MAGISTRATE JUDGE